

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JHEN SCUTELLA, )  
                    )  
Plaintiff,        )  
                    )  
vs.                )    **Civil Action No. 11-198E**  
                    )  
CITY OF ERIE BUREAU OF POLICE , )  
                    )  
Defendant.        )

**MEMORANDUM ORDER**

On June 9, 2014, Plaintiff Jhen Scutella filed a “Motion for Injunctive Relief” [ECF #79]. On July 1, 2014, Magistrate Judge Baxter held a hearing on the Motion, denied the Motion and explained that she would issue a Report and Recommendation (“R&R”) with respect to the denial of the motion, which she did on July 2, 2014 [ECF #83]. Objections to the R&R were due no later than July 21, 2014. To date no objections have been filed.

Rule 72(b)(3) of the Federal Rules of Civil Procedure states: “[t]he district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to. The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.”

After *de novo* review of the relevant pleadings and documents in the case, together with the July 2, 2014 Report and Recommendation from Magistrate Judge Baxter, the following Order is entered:

AND NOW, this 28<sup>th</sup> day of July, 2014, it is HEREBY ORDERED, ADJUDGED AND DECREED that the Report and Recommendations of Magistrate Judge Baxter [ECF #83], dated July 2, 2014, is adopted as the Opinion of the Court.

It is further hereby ORDERED, ADJUDGED, AND DECREED that Plaintiff Jhen Scutella's Motion for Preliminary Injunction [ECF #79] is DENIED.

Maurice B. Cohill, Jr.  
Maurice B. Cohill, Jr.  
Senior District Court Judge